

# Constitution of the united states and crime



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## Introduction

In the United States, there are many correctional systems whereby while some houses the most dangerous criminals globally, others house the criminals who do not require a lot of security. The purpose of the correctional systems is using them in the detention of the criminals who have been convicted of the crimes that are against the outlined rules in the society. The main goal of the correctional facilities is thus to punish the wrongdoers as well as rehabilitate them so that they can be in a position to live a law-abiding life once they are released back to the society (McElreath, 2012). The professionals in these correctional facilities such as the parole officers, probation officers, jailers and the guards in the correctional facilities are supposed to be careful to avoid violating the rights of any individual in the facilities while still ensuring that they uphold the punishment. The professionals are expected to uphold the ethical standards in their execution of justice. In this paper, the parts of the constitution which are closely related to the ethics in the correction professionals will be discussed and use of social justice principles by the professionals to build a just society. In addition to this, the paper will also address how the criminal theory is practically used by the correctional officers and three issues that are faced by correctional professionals regularly and the way to respond to them.

**Corrections professionals must execute justice by upholding the law in an ethical and constitutional manner. Identify and explain which parts of the Constitution of the United States are most relevant to the ethical standards of corrections professionals.**

In the United States, various outlined rules are supposed to be followed in the field of criminal justice, and they give the criminals their rights. One of <https://assignbuster.com/constitution-of-the-united-states-and-crime/>

the parts of the Constitution of the United States which is most relevant to the ethical standards of corrections professionals is the one which gives the criminals their rights. This outlines that the criminals should not be harmed in anyway irrespective of the crimes that they have committed. The countries criminal system do not cause harm to them because they can be released from the prosecution and their case acquainted if the prosecution is done in their favor and no act of immorality is found. The officers in charge of the law enforcement in the country must always ensure that they execute justice in a way that the law is upheld in a constitutional and an ethical manner. The Department of Justice in the United States aims at the prevention and the resolving of the conflicts and the tensions that arise between communities as a result of discriminatory policies, actions, and practices by color, nationality, and race. All the law enforcement officers are thus expected to follow as well as obey the outlined rules and regulations at all times.

### **How corrections professionals ensure that they uphold the Constitution**

One of the ways in which the correction professionals ensure that they uphold the Constitution is through ensuring that they do not inflict any injury to the inmates irrespective of the crimes that they have committed. In case the inmates are assaulted, they are supposed to report on the issue through writing for investigations to be carried out to punish the individual who assaulted them. The other way in which the correctional professionals should ensure that they uphold the Constitution is by ensuring equality among all the inmates irrespective of their race, color, the origin or the crime committed (Pollock, 2014). All the inmates should be treated similarly

irrespective of whether they committed murder, petty crimes or even kidnapping. They should, however, avoid putting together the inmates who committed murder and the ones convicted for shoplifting since it is dangerous for the two individuals involved. The other way in which the correctional professionals should ensure that they uphold the Constitution is by avoiding solidarity among them. This is illegal, and the correctional professionals should avoid this to avoid doing illegal things when together on the clock.

**Analyze the ways in which corrections professionals use the social justice principles of equality, solidarity, and human rights to build a more just society.**

One of the ways in which the correctional professionals use the social justice principles of equality, human rights, and solidarity is by reporting anything that is illegal that is being done by other correctional professionals to each other or the inmates. Although the inmates are locked in, they should still be treated as human beings, and they deserve it. Since the inmates are in the custody of the state, they should be provided with food and shelter for protection purposes at the time they are incarcerated. The inmates should thus be taken care of, and their human rights should not be violated. The other way in which the correctional professionals use the social justice principles of equality, human rights and solidarity are through exercising their duties and responsibilities. These professionals are faced with ethical dilemmas on a daily basis, they are involved in the community corrections, and they also carry out the evaluations on the restorative justice. In addition to this, many programs are offered at the correctional institutions which include; the rehabilitation programs for alcohol, management of anger and

drugs and these are usually created to help the people who need these resources, but they can't access them while they are out of the jail.

### **Why people commit crimes and how corrections professionals use criminal theory in their practice**

There are many theories which describe the reasons why people commit crimes. These theories are used by the practitioners in the correctional facilities in their day to day practices. One of the theories which explain why people commit crimes is the social learning theory. This theory depicts that people usually develop the motivation to commit a crime and the skills that they require in the crime process as a result of the people that they interact with. The social learning theories speculate that young people learn the ways in which they are supposed to behave depending on the ways in which their elders responds to their violation or the compliance on the rules (Banks, 2013). The appropriate behavior is indicated in the society through rewarding the morally acceptable behavior and punishing or imposing penalties on the transgressions. With time, the transgression is usually associated with the sanction thereby producing the sanction even at times when there is no one available to check on the sanctions. It is as a result of this process that the young people can learn how to control themselves by the legal and the moral codes.

The other theory which explains why people commit the crime is the strain theory. According to this theory, many people in the society have aspirations that are similar, but the truth is that they have differing opportunities or the abilities to meet their aspirations. Whenever the people are not able to meet the expectations that the society have on them through the means that are <https://assignbuster.com/constitution-of-the-united-states-and-crime/>

approved such as the delayed gratification and hard work, they may end up trying to achieve their desired success through engaging in criminal activities. The third theory which explains why people commit the crime is the social disorganization theory. This theory speculates that the social, as well as the physical environment of an individual, are primarily conscientious of the behavioral choices that the individuals make. For instance, in the neighborhoods that have social structures that are fraying, the chances of having crimes are very high. Such a neighborhood is likely to have poor schools, high level of unemployment, buildings that are vandalized and vacant and also the mixture of residential and commercial properties. It is thus as a result of the physical and the social environment that the people are brought up that can contribute to the behavioral practices that individuals adopt as they grow such as committing the crime. The correctional professionals use the criminal theories in their practice to come up with the best solutions that will assist in reducing the types as well as the levels of crime in the society (Akers, 2013).

**Three main issues that face corrections professionals on a regular basis and address the best responses to these issues.**

One of the main issues that the correctional professionals are faced with on a regular basis is the inmates' behavior. This is one of the challenges that the correction professionals experience in their day to day tasks, and in some ways, they have the least control over the issue while in others, they have a high level of control. It is clear that most of the inmates are more willing to take instructions, combative and also to a great extent willing to argue. The cases of the verbal confrontations between the correctional officers and the

professionals are very high, and in the current days, they usually develop into physical incidences, and it has become a norm. The best way in which the corrections professional can respond to this issue is by learning on how to deal with the inmates both verbally and physically than before. In this, the officers should learn the ways of deflecting, refocusing and getting back on the right track after an argument without necessarily getting angry and losing their control. They should learn to know when the use of words fails so that they can take the necessary action to ensure control of the inmates without affecting their rights. They should thus get to realize that they have an objective standard on how they take care of the inmates.

The second main issue that the correctional professionals are faced with on a regular basis is the negative media attention. Commonly, the members of the public i. e. readers complain that the media only covers negative news about the corrections. The readers are right because the media always concentrates on the negative stories on the corrections without generating any of the positive stories (Siegel, 2017). The best response to address this issue is focusing on the positive which can be achieved through an administrative decision focusing on pushing out the positive content. Every facility should have public relations which aim at getting the positive stories out such as officers protecting the inmates from harm, food drive, and collections made by officers as presents to the kids during Christmas among others.

The third issue that the correctional professionals are faced with on a regular basis is inadequate training among the midlevel supervisors. This is a challenge because most of the frontline supervisors who are required to

evaluate the incidents where force should be used do not have the required knowledge and skills to do it in the right manner. This results in the situation whereby the officers can get away with their improper behaviors and thus ineffectiveness of the correctional system. In addition to this, the reports are not written in the right way, and the reviews are merely done, and when done they are poor. The best response to address this issue is ensuring that the correctional professionals are well trained such that they are well all rounded on all the roles and responsibilities that they are supposed to play in the organization. In addition to this, the state should secure enough funds for the training of the supervisors and other staff working in the correctional facilities.

In conclusion, the correction professionals should ensure that they uphold and achieve the goal of the correctional facilities which is the punishing of the wrongdoers and rehabilitating them. They should be careful to avoid violation of the rights of the inmates and still uphold the punishment required. In addition to this, they should ensure that they uphold social justice, equality, humanity and also ethicality in their process of executing justice.

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